IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SIXTH DAY OF DECEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 26646 of 2005

Between:

B. Basappa

..... PETITIONER

AND

The Revenue Divisional Officer,

Kurnool, Kurnool District

.....RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the action of the respondents in not permitting the petitioner to lift the commodities without issuing any show cause notice and without there being any proceedings, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

It is stated that the petitioner was appointed as a fair price shop dealer of Jampapuram-II, Kosigi Mandal of Kurnool District, pursuant to the proceedings of the 1st respondent in Rc.M.1513/90, dated 21.02.1991, and since then the petitioner has been distributing the essential commodities to the cardholders of his fair price shop. While so, the petitioner fell sick on 01.07.2004 and on Doctor's advice, he applied medical leave for a period of one year and during the said period, the said fair price shop was attached to the adjacent dealer for distribution of essential commodities to the cardholders. It is stated that after recovery of his health, the petitioner made a representation to the

2nd respondent on 20.07.2005 for restoration of his dealership, permitting him to lift the essential commodities, but so far, no orders have been passed on his representation.

I am not inclined to express any opinion as to whether the leave was granted to the petitioner, and if the leave was not granted, what are the consequential affects for continuation of his dealership. But, however, as the representation of the petitioner is pending before the 2nd respondent, it is just and proper to consider and dispose of the same, in accordance with law.

Having regard to the facts and circumstances of the case, the

2nd respondent is directed to consider and dispose of the representation of the petitioner dated 20.07.2005, in accordance with law, within a period of six weeks, from the date of receipt of a copy of this order.

With the above observations, the Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

Dated: 26.12.2005

Dsr